



<b>SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT</b> 37 C.F.R. § 1.97(c)		ATTORNEY DOCKET NO. <b>70074.0001US01</b>		
		U.S. APPLICATION SERIAL NO. <b>09/880,322</b>	CONFIRMATION NO. <b>5476</b>	
		FILING DATE <b>June 13, 2001</b>		
INVENTOR(S) <b>Walter H. RUNKIS</b>		EXAMINER <b>S. CLARDY</b>		GROUP ART UNIT <b>1617</b>
TITLE OF APPLICATION <b>COMPOSITION FOR TREATING CELLS AND METHODS FOR QUALITATIVELY AND QUANTITATIVELY CUSTOMIZING THE FORMULATION THEREOF</b>				

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

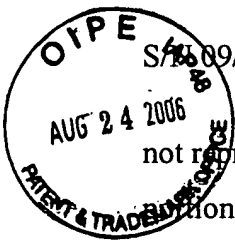
Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. The cited references were previously cited from a corresponding Canadian application. At least one of the references was also cited in the present application.

This statement should be considered because it is submitted after the mailing date of a first Office Action on-the-merits or a first Office Action after filing a Request for Continued Examination under 37 C.F.R. § 1.114 or a CPA under 37 C.F.R. § 1.53(d), but before the mailing date of: i) a final action under 37 C.F.R. § 1.113; ii) a Notice of Allowance under 37 C.F.R. § 1.311; or iii) an action that otherwise closes prosecution on the application. Please charge Deposit Account No. 13-2725 \$180.00 for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. §1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided. A copy of the English language abstract is provided in the Japanese application.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicant reserves the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicant does



S/8809/880,322

Attorney Docket No. 70074.0001US01

not represent that a reference has been thoroughly reviewed or that any relevance of any  
tion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,  
MERCHANT & GOULD, P.C.

August 24, 2006

Date

William E. Beaumont  
Registration No. 30,996

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Minneapolis, Minnesota 55402-0903  
Telephone No. (202) 326-0300  
Facsimile No. (202) 326-0778

**23552**

Patent & Trademark Office



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT  
(PTO 1449)**

ATTORNEY DOCKET NO.

**70074.0001US01**

U.S. APPLICATION SERIAL NO.

**09/880,322**

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**June 13, 2001**

INVENTOR(S)

**Walter H. RUNKIS**

EXAMINER

**S. CLARDY**

GROUP ART UNIT

**1617**

TITLE OF APPLICATION

**COMPOSITION FOR TREATING CELLS AND METHODS FOR QUALITATIVELY AND  
QUANTITATIVELY CUSTOMIZING THE FORMULATION THEREOF**

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A	4,383,846	05/17/1983	Newsom, Jr.			
	B	4,469,503	09/04/1984	Stockel			
	C	5,597,512	01/28/1997	Watanabe et al.			

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	D	58-29882	08/18/1981	JAPAN				

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

	E	
	F	
	G	
	H	
	I	
	J	
	K	
	L	
	M	
	N	
	O	
	P	
	Q	

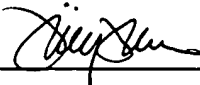
EXAMINER

DATE CONSIDERED

EXAMINER: Initial if the reference is considered, whether or not the citation is in conformance with MPEP 609. Draw a line through the citation if it is not in conformance and it is not considered. Include a copy of this form with the next communication to the Applicant.

<h1 style="text-align: center;">TRANSMITTAL FORM</h1> <p style="text-align: center;">(to be used on all correspondence after initial filing)</p>		ATTORNEY DOCKET NO.	
		70074.0001US01	
		U.S. APPLICATION SERIAL NO.	CONFIRMATION NO.
		09/880,322	5476
		FILING DATE	
		June 13, 2001	
INVENTOR(S)	EXAMINER	GROUP ART UNIT	
Walter H. RUNKIS	S. CLARDY	1617	
TITLE OF APPLICATION			
COMPOSITION FOR TREATING CELLS AND METHODS FOR QUALITATIVELY AND QUANTITATIVELY CUSTOMIZING THE FORMULATION THEREOF			

ADDRESS TO:	Mail Stop Amendment Commissioner for Patents P.O. BOX 1450 ALEXANDRIA, VA 22313-1450
ENCLOSURES	
<input checked="" type="checkbox"/> Transmittal Form <input checked="" type="checkbox"/> Fee Transmittal (In Duplicate) <input checked="" type="checkbox"/> Supplemental Information Disclosure Statement <input checked="" type="checkbox"/> PTO Form 1449 (1 Sheet) <input checked="" type="checkbox"/> Copies of Cited Documents with abstract (4) <input checked="" type="checkbox"/> Return Postcard	
<input checked="" type="checkbox"/> Please charge Deposit Account No. 13-2725 in the amount of \$180.00 to cover any required fees. In the event any variance exists between this amount and the Patent Office charges for filing the above-noted documents, including any fees required under 35 CFR 1.136 for any necessary extension of time to make the filing of the attached documents timely, please charge or credit the difference to Deposit Account No. 13-2725. Further, if these papers are not considered timely filed, then a request is hereby made under 37 CFR 1.136 for the necessary extension of time.	
CORRESPONDENCE ADDRESS	
<input checked="" type="checkbox"/> The address associated with Customer Number: <b>23552</b> OR <input type="checkbox"/> the correspondence address below.	
Name	
Address	
City	State Zip Code

NAME	William E. Beaumont	REGISTRATION NO.	30,996
SIGNATURE		DATE	August 24, 2006
NAME		TELEPHONE	202 326-0300
		REGISTRATION NO.	



# FEE TRANSMITTAL

		ATTORNEY DOCKET NO. <b>70074.0001US01</b>	
		U.S. APPLICATION SERIAL NO. <b>09/880,322</b>	CONFIRMATION NO. <b>5476</b>
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INVENTOR(S) <b>Walter H. RUNKIS</b>		EXAMINER <b>S. CLARDY</b>	GROUP ART UNIT <b>1617</b>
TITLE OF APPLICATION <b>COMPOSITION FOR TREATING CELLS AND METHODS FOR QUALITATIVELY AND QUANTITATIVELY CUSTOMIZING THE FORMULATION THEREOF</b>			
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Certain fees are reduced by 1/2.		TOTAL AMOUNT OF PAYMENT <b>\$180.00</b>	

☒ Please charge Deposit Account No. 13-2725 in the amount of \$180.00 to cover any required fees. In the event any variance exists between this amount and the Patent Office charges for filing the documents noted below, including any fees required under 37 CFR 1.136 for any necessary extension of time to make the filing of the attached documents timely, please charge or credit the difference to Deposit Account No. 13-2725. Further, if these papers are not considered timely filed, then a request is hereby made under 37 CFR 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed for fee processing.

The following fees have been submitted:

## APPLICATION FEES

	FEE CODE	DESCRIPTION	FEE	CALCULATE
<input type="checkbox"/>	1011	Basic Filing Fee - Utility	\$300.00	
<input type="checkbox"/>	1111	Utility Search Fee	\$500.00	
<input type="checkbox"/>	1311	Utility Examination Fee	\$200.00	
<input type="checkbox"/>	1012	Basic Filing Fee - Design	\$200.00	
<input type="checkbox"/>	1112	Design Search Fee	\$100.00	
<input type="checkbox"/>	1312	Design Examination Fee	\$130.00	
<input type="checkbox"/>	1005	Provisional Application Filing Fee	\$200.00	
<input type="checkbox"/>	1014	Basic Filing Fee - Reissue	\$300.00	
<input type="checkbox"/>	1051	Surcharge - Late Filing Fee, Search Fee, Examination Fee or Oath or Dec.	\$130.00	
<input type="checkbox"/>	1801	Request for Continued Examination	\$790.00	
<input type="checkbox"/>	1814	Terminal Disclaimer	\$130.00	
<input type="checkbox"/>	1452	Petition to Revive Unavoidably Abandoned Application	\$500.00	
<input type="checkbox"/>	1453	Petition to Revive Unintentionally Abandoned Application	\$1,500.00	
SUB TOTAL				\$ 0.00

## EXTENSION OF TIME FEES

	FEE CODE	DESCRIPTION	FEE	SUBMITTED
<input type="checkbox"/>	1251	Extension for Response Within the First Month	\$120.00	
<input type="checkbox"/>	1252	Extension for Response Within the Second Month	\$450.00	
<input type="checkbox"/>	1253	Extension for Response Within the Third Month	\$1,020.00	
<input type="checkbox"/>	1254	Extension for Response Within the Fourth Month	\$1,590.00	
<input type="checkbox"/>	1255	Extension for Response Within the Fifth Month	\$2,160.00	
Credit for Extensions Previously Paid				
SUB TOTAL				\$ 0.00

## APPLICATION SIZE FEES

<input type="checkbox"/> Additional Fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets or fraction thereof.				\$0.00
Total Sheets	Extra Sheets	Number of each additional 50 sheets or fraction thereof (round up to whole no.)	RATE	
0-100	/50=		x \$250.00 =	



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**CLAIM FEES**

CLAIMS	NUMBER FILED	NUMBER PREV. PAID FOR	MAX. PAID	NUMBER OF ADD'L CLAIMS	RATE		
Total Claims	0	<input checked="" type="checkbox"/>	20		x \$50	\$0.00	\$0.00
Independent Claims	0	<input checked="" type="checkbox"/>	3		x \$200	\$0.00	
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM(S)					+ \$360	\$0.00	
TOTAL OF ABOVE CALCULATIONS =							

**APPEALS/INTERFERENCE FEES**

	FEE CODE	DESCRIPTION	FEE	SUBMITTED
<input type="checkbox"/>	1401	Notice of Appeal	\$500.00	
<input type="checkbox"/>	1402	Filing a Brief in Support of an Appeal	\$500.00	
<input type="checkbox"/>	1403	Request for oral Hearing	\$1,000.00	
SUB TOTAL			\$ 0.00	

**POST-ALLOWANCE FEES**

	FEE CODE	DESCRIPTION	FEE	SUBMITTED
<input type="checkbox"/>	1501/1511	Utility/Reissue Issue Fee	\$1,400.00	
<input type="checkbox"/>	1502	Design Issue Fee	\$800.00	
<input type="checkbox"/>	1503	Plant Issue Fee	\$1,100.00	
SUB TOTAL			\$ 0.00	

TOTAL OF FEES SUBJECT TO REDUCTION FOR SMALL ENTITY STATUS			\$0.00
<input checked="" type="checkbox"/>	Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.		x 0.50= \$0.00

**FEES NOT SUBJECT TO REDUCTION FOR SMALL ENTITY STATUS****POST-ISSUANCE FEES**

	FEE CODE	DESCRIPTION	FEE	SUBMITTED
<input type="checkbox"/>	1811	Certificate of Correction	\$100.00	
<input type="checkbox"/>	1812	Request for Ex Parte Reexamination	\$2,520.00	
<input type="checkbox"/>	1813	Request for Inter Partes Reexamination	\$8,800.00	
SUB TOTAL			\$ 0.00	

**MISCELLANEOUS FEES**

	FEE CODE	DESCRIPTION	FEE	SUBMITTED
<input type="checkbox"/>	1053	Non-English Specification	\$130.00	
<input checked="" type="checkbox"/>	1806	Submission of an Information Disclosure Statement	\$180.00	\$180.00
<input type="checkbox"/>	8001	Printed Copy of Patent <u>0</u> copies x	\$3.00	
<input type="checkbox"/>	8021	Recording Assignment, Agreement or Other Paper <u>0</u> properties x	\$40.00	
<input type="checkbox"/>	1504/1505	Publication/Republication Fee	\$300.00	
SUB TOTAL			\$ 180.00	

TOTAL FEES SUBMITTED		\$180.00
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NAME	William E. Beaumont	REGISTRATION NO.	30,996
SIGNATURE		DATE	August 24, 2006
NAME		REGISTRATION NO.	